

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

PERMANENT MAGNET ARRAY AND MAGNET HOLDER FOR FLYWHEEL MOTOR/GENERATOR

the specification of which (check one) is attached hereto or X was filed on August 25, 2000 as Application No. 09/649,144 and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)	Priority Claimed	
	Yes	No
Number	Country	Day/Month/Year Filed
Number	Country	Day/Month/Year Filed

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) below.

<u>60/151,236</u>	<u>August 27, 1999</u>
Application Number	Filing Date
<u>60/152,453</u>	<u>September 3, 1999</u>
Application Number	Filing Date

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	Filing Date	Status: Patent d, Pending, Abandoned
Application Number	Filing Date	Status: Patent d, Pending, Abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Michael Kim

Inventor's signature 

Date

12/17/00

Residence 3320 Arbor Drive, Pleasanton, CA 94566

Citizenship USA

Post Office Address 3320 Arbor Drive, Pleasanton, CA 94566

Full name of second joint inventor, if any, Donald Bender

Inventor's signature 

Date

12/15/00

Residence 524 Columbia Creek Drive, San Ramon, CA 94583

Citizenship USA

Post Office Address 524 Columbia Creek Drive, San Ramon, CA 94583

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

the owner of the small business concern identified below:
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Trinity Flywheel Power

ADDRESS OF CONCERN 6724-D Preston Ave., Livermore, CA 94550

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled PERMANENT MAGNET ARRAY AND MAGNET HOLDER FOR FLYWHEEL MOTOR/GENERATOR by inventor(s) Michael Kim et al. described in

the specification filed herewith with title as listed above.
 application no. 09/649,144, filed August 25, 2000.
 patent no. , issued .

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

NAME _____

ADDRESS _____

Individual Small Business Concern Nonprofit Organization

NAME _____

ADDRESS _____

Individual Small Business Concern Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Donald A. Bender

TITLE OF PERSON OTHER THAN OWNER VP- ENGINEERING

ADDRESS OF PERSON SIGNING 6724-D PRESTON AVE., LIVERMORE CA

SIGNATURE: Donald A. Bender

DATE: DEC. 8, 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Michael Kim and Donald A. Bender

Serial No.: 09/649,144

Group Art Unit: 3681

Filing Date: August 25, 2000

Examiner: Not Assigned Yet

For: Permanent Magnet Array and Magnet Holder for Flywheel Motor/Generator

DATE OF DEPOSIT: April 27 2007

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE BOX DSD, COMMISSIONER FOR PATENTS AND TRADEMARKS, WASHINGTON, DC 20231.

TYPED NAME: John W. Caldwell
REGISTRATION NO.: 28,937

Box DSD
Commissioner for Patents and Trademarks
Washington DC 20231

POWER OF ATTORNEY WITH REVOCATION

Revoking any and all powers of attorney heretofore given in the matter of the above-entitled application, the undersigned, assignee of the entire interest in the above-identified application, hereby appoints John W. Caldwell, Registration No. 28,937, of Philadelphia, Pennsylvania, as attorney, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith.

Send all future correspondence and address all telephone calls to:

John W. Caldwell, Esq.
WOODCOCK WASHBURN KURTZ
MACKIEWICZ & NORRIS LLP
One Liberty Place - 46th Floor
Philadelphia, PA 19103
Telephone: (215)568-3100

A Statement under 37 C.F.R. §3.73(b) and copies of relevant documents accompany this Revocation of Power of Attorney.

Respectfully submitted,

AFS Trinity Power Corporation

Date: April 26, 2001

By: Edward W. Furia

Name: Edward W. Furia

Title: Chairman and Chief Executive Officer